

Article - Business Regulation

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§7–205.

(a) To carry out this title, the Board may, subject to § 7-103(b) of this title:

(1) receive a written complaint and hold a hearing on an alleged violation by a collection agency of the Maryland Consumer Debt Collection Act or this title;

(2) mediate a dispute between a consumer and a collection agency and suggest monetary compensation of the consumer in an amount agreeable to the consumer and collection agency or other appropriate resolution or both; and

(3) issue orders:

(i) to cease and desist from the violation and any further similar violations; or

(ii) requiring the violator to take affirmative action to correct the violation.

(b) If a violator fails to comply with a lawful order issued by the Board, the Board may impose a penalty not exceeding \$10,000 for each violation cited in the order, not to exceed \$25,000, from which the violator failed to cease and desist or for which the violator failed to take affirmative action to correct, as ordered by the Board.

(c) In determining the amount of any penalty to be imposed under subsection (b) of this section, the Board shall consider:

(1) the seriousness of the violation;

(2) the good faith of the violator;

(3) the violator's history of previous violations;

(4) the deleterious effect of the violation on the public and the collection industry; and

(5) any other factors relevant to the determination of the financial penalty.

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